

**Appl. No. 09/828,462
Amendment and Response to Office Action
May 1, 2006**

Attny Docket No. 3184

REMARKS

Claims 1-15 are pending in the application. Claims 1-15 have been rejected under 35 U.S.C. § 103(a). Claims 4 and 11 have been canceled. Claims 9 and 10 have been amended to contain a piezo-electric printhead. Reconsideration of the amended application is respectfully requested.

The Examiner rejected claims 1-2 and 5-8 under 35 U.S.C. § 103(a) as unpatentable over Venkatraman et al. (U.S. Patent No. 6,170,007) in view of Desormeaux (Pub. No.: US 200200709898). Claims 9-10 and 12-15 were rejected under 35 U.S.C. §103(a) as being unpatentable over Venkatraman et al. in view of Skaanning (Pub. No.: US 200220044296). Claim 3 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Venkatraman et al. in view of Desormeaux and further in view of Skaanning.

The Examiner attempts to combine Venkatraman et al. with Desormeaux as a basis for rejection. However, it is improper to combine these references since such a combination requires the use of hindsight reasoning. Desormeaux, while teaching the use of a piezo-electric print head, does not contain any teaching concerning a print device providing Internet connectivity. In fact, Desormeaux teaches away from Internet connectivity by using a direct cable connection or infrared local connection between a host computer and the print head. This direct, point to point link, excludes any Internet connectivity. Desormeaux states: "Here we see printer 60 coupled to a host computer 62 from which images such as design 22' may be downloaded through a signal 64 which may be hard-wired to the printer at terminal 65, or may be otherwise downloaded, such as

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through an infrared or other signal." (Desormeaux, Fig. 4 and Par. 0026). The references teach away from each other and away from the Applicants' invention, since the Applicants' invention teaches a remote piezo-electric printer that communicates over any type of network making up the Internet, not just a point to point link. Prior art that teaches away from an invention is evidence of non-obviousness. In re Heck, 699 F.2d 1331, 1333 (Fed. Cir. 1983).

Skaanning teaches an authoring tool that assists an author in building an automated diagnostic system. (Skaanning, Abstract). There is no teaching in Skaanning concerning a remote piezo-electric printer, or any type of printer that allows Internet connectivity and provides diagnostics over the Internet. There is no suggestion or motivation in Venkatraman et al. to combine it with the authoring tool for Bayesian network diagnostic systems of Skaanning. A proper obviousness analysis requires determining whether there is a suggestion, teaching or motivation in the art. See, e.g., Group One, Ltd., v. Hallmark Cards, Inc. 407 F.3d 1297, 1304 (Fed. Cir. 2005); Gillette Co. v. S.C. Johnson & Son, Inc., 919 F.2d 720, 724 (Fed. Cir. 1990).

Finally, with respect to claim 3, the Examiner has attempted to combine Venkatraman et al. with Desormeaux and with Skaanning. As set forth above, there is no motivation to combine Venkatraman et al. and Desormeaux, as the references teach away from one another and the Applicants' invention. Similarly, there is no motivation to combine Venkatraman et al. and Skaanning. Necessarily, it is improper to combine all three

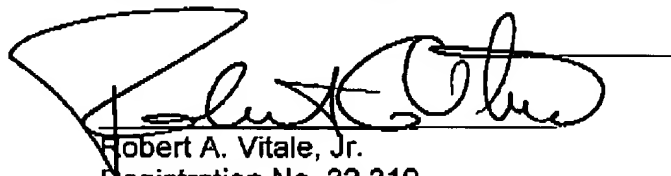
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references since there is no motivation to combine them and they actually teach away from each other and Applicants' invention.

In view of the foregoing amendments and remarks, the Applicants respectfully request reconsideration and allowance of the pending claims. The Commissioner is hereby authorized to charge any fees with respect to this communication to Deposit Account No. 14-1131.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert A. Vitale, Jr.", is written over a horizontal line.

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